

the requirement for restriction and, in particular, disagrees that the two groups relate to different general inventive concepts. Claim 1 is the sole independent claim in Group I and claim 8 is the sole independent claim in Group II. However, neither claim 1 nor claim 8 is directed towards injecting, molds, or using a nozzle. Claim 1 is directed to a railway beacon and claim 8 is directed to a method of producing a railway beacon. Claim 1 includes a limitation of a casing formed from insulating material and with an electronic circuit and resin. Claim 8 includes the steps of producing a casing made of insulating material, inserting an electronic circuit, and producing a resin. Claim 1 includes limitations of a receiving antenna and a transmitting antenna. Claim 8 includes an ability to receive an electromagnetic enabling signal and generate a coded response signal, which corresponds to the antennae of claim 1.

According to the Office Action, Group I (claims 1-7) is drawn to 342/385, which is the class for communication directed radio wave systems and devices, sub-class of beacon or receiver. According to the Office Action, Group II (claims 8-12) is drawn to 264/500, which is the class for plastic and non-metallic article shaping, sub-class of direct application of fluid pressure differential to permanently shape, distort, or sustain work. Nothing in independent claim 8 refers to plastic or non-metallic shaping or application of fluid pressure. Claim 8 appears better directed to communication directed radio wave systems and devices, sub-class of beacon or receiver. Therefore, the Applicant believes that the Restriction Requirement is in error and claims 1 and 8, and by extension Groups I and II, are directed to the same class and sub-class.

In summary, the Applicant disagrees with the present requirement for restriction and has provided detailed reasons in this response. The Applicant hereby requests reconsideration and withdrawal of the requirement as permitted and detailed in 37 C.F.R. § 1.143.

It is believed that no extension fee is needed with this response. If any fee is required, the Commissioner is hereby authorized to charge the amount of any such fee to Deposit Account No. 07-1730, Docket No. 4841-016.

The early passage to issue of the application is respectfully requested.

Respectfully submitted,

**GOTTLIEB, RACKMAN & REISMAN**



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